

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

TRADING PLACES INTERNATIONAL, LLC,)	
)	
Plaintiff,)	
)	
v.)	Case No. 6:15-cv-03092-BP
)	
SUMMERWINDS RESORT SERVICES, LLC,)	
ET AL.,)	
)	
Defendants.)	

**JOINT MOTION FOR CONTINUANCE OF TRIAL SETTING
AND ENTRY OF AMENDED SCHEDULING ORDER**

COME NOW Plaintiff Trading Places International, LLC (“TPI”), by and through its counsel, Lathrop & Gage LLP and, together with Defendants Summerwinds Resort Services, LLC and Stormy Point Village – Phase III Property Owners Association, Inc. (collectively “Defendants”) through its counsel, moves for this Court to change the date this case is set for trial and enter an Amended Scheduling Order. In support of their motion, the parties state as follows:

1. Initial pleadings were only recently completed with TPI’s Answer to Defendants’ Counterclaim on December 15, 2015.
2. Because the pleadings were recently closed, the parties are still conducting initial written discovery.
3. With the addition of Defendants’ counterclaims, the issues involved in this matter have become much more complex and requires significant additional discovery, the possible retention of experts, and the number of depositions required will increase.
4. Trial is currently set for July 25-27, 2016, but with the addition of new claims, it is likely the trial will take more than two days.

5. In addition, when this matter was originally set for trial, Defendants were represented by Joshua Neally and the issues were much narrower. Mr. Neally has subsequently withdrawn from this case and Defendants are presently represented by Bryan O. Wade and Christopher F. Weiss for Husch Blackwell LLP. Mr. Weiss has a conflict in his schedule in that he is scheduled for a week long jury trial in another lawsuit pending in the Circuit Court of Camden County during the Week of July 25th.

6. The parties desire the revised scheduling order so that they may complete discovery and dispositive motions in a timely and complete manner.

7. The parties agree and suggest that the trial be continued until a date certain sometime after the end of January 2017.

8. Plaintiff, with the consent of Defendants, proposes the attached revised scheduling order, attached hereto and incorporated herein as Exhibit "A".

9. Defendants have informed Plaintiff that they will seek a jury trial in this matter and, while Plaintiff opposes the request for a jury trial, it does not oppose moving the trial date due to existing conflicts of Defendants' counsel with the trial date set before they entered the case.

10. This motion is not made for any improper purpose and will support the cause and administration of justice.

WHEREFORE, Plaintiff Trading Places International, LLC, together with Defendants Summerwinds Resort Services, LLC and Stormy Point Village – Phase III Property Owners Association, Inc., pray for an order of this Court entering the Amended Scheduling Order attached hereto and incorporated herein as Exhibit "A" and for such other and further relief as the Court deems just under the circumstances.

Respectfully Submitted,

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